

ARRESTED FOR MURDER OF COL. SWOPE

Dr. B. C. Hyde Charged With Causing Death of Millionaire

HOUSE VOTES TO ALLOW MEMBERS TO ATTEND COURT

By Associated Press
WASHINGTON, Feb. 10.—After six hours' debate which included the night session, the house tonight voted to permit the members of the joint committee on printing to obey the summons from the supreme court of the District of Columbia. This action is exactly the reverse of that of the senate in the afternoon and in consequence Representatives Cooper, Sturges and Finley will be the only members of the joint committee of six to appear in the court in the morning at mandamus proceedings instituted by the Valley Paper company of Holyoke, Mass., which is dissatisfied with the paper contract award made by the committee. Whether Senators Smoot, Bourne and Fletcher, the senate members can be adjudged for contempt for failing to appear, remains for the court to decide.

Warrant is Secured at Request of Executor of Swope Estate and Endorsed by Prosecuting Attorney.

TEDDY JUNIOR IS NOW ENGAGED TO BE MARRIED

By Associated Press
NEW YORK, Feb. 10.—Mrs. Henry Addison Alexander of New York announced tonight the engagement of her daughter, Eleanor Butler Alexander to Theodore Roosevelt Jr., the eldest son of Colonel Theodore Roosevelt. Young Roosevelt, since his graduation from Harvard, has been learning the carpet manufacturing in a factory at Thompsonville, Conn. Miss Alexander is 21 year of age, and her father, Henry Addison Alexander, was formerly a prominent New York lawyer, who now lives in Paris, where for several years he has been consul for the American embassy.

Prisoner Released Under Bond—Grand Jury Called to Investigate Case—New Facts Learned Concerning Deaths.

By Associated Press
KANSAS CITY, Feb. 10.—As a climax to the lengthy investigation of the mysterious death of Colonel Thomas Swope on October 3, 1909, Dr. B. C. Hyde, the husband of the millionaire's niece, was arrested today on the charge of the alleged murder of the aged philanthropist. The warrant upon which the arrest was made, was issued at the request of Attorney John Paxton, the executor of the Swope estate. First degree murder is charged. The warrant says that Hyde with felonious intent administered strychnine to the colonel the day of his death. Across the back of the complaint filed by Paxton, asking for the warrant, Prosecutor Virgil Conkling wrote above his signature, "I hereby endorse this complaint."

Paxton, the executor, and Mrs. Logan Swope, mother of Chrisman, instituted the investigation. Dr. Edward Stewart came forward with a statement on November 10, that Hyde had obtained from him, active typhoid culture. After Stewart divulged this information Hyde was placed under surveillance by detectives.

On December 20 Hyde himself suffered an attack said to be typhoid fever, but Stewart, who attended Hyde, stated although the latter's blood was placed side by side in an incubator with blood from a typhoid patient, it remained absolutely sterile of typhoid and contained no fever germs.

After it was decided the bodies of Colonel Swope and Chrisman should be disinterred, Paxton and Mrs. Logan Swope recalled Hyde's insistence that he be permitted to act as physician for the family although Dr. G. T. Twyman had served in that capacity for years. Five nurses were employed in the Swope home and became so aroused by the manifestations in the disease prevailing there, they finally notified Mrs. Swope they would all leave unless another physician was obtained. Then Dr. Twyman was summoned and resumed the services as family physician. Shortly afterward Hyde himself was stricken. Later the body of Chrisman Swope was secretly exhumed and that of the colonel taken from the tomb. After an autopsy was held and the stomachs of the two dead men forwarded to Chicago, where they were analyzed by Drs. Haines, Hektoen and Vaughn.

Dr. Bennett Clarke Hyde is a son of Rev. Dr. G. W. Hyde, a retired Baptist minister, of Lexington, Mo., and is 40 years old. Hyde's name has previously figured before the public. In August, 1897, Hyde, when a police surgeon at Kansas City, was ousted from office because of his alleged inhuman treatment to Annie Clements, a negroess who attempted suicide and who came under his care at the police station. Hyde in the winter of 1898-9 was charged with grave-robbing. At this time he was a demonstrator of anatomy in a medical college. The accusations were made by Sam McClain and Charles Perry, negroes, who had been arrested on suspicion. Perry confessed he and his companions had robbed the grave of Michael Kelly, in the St. Mary's cemetery, at Independence, Mo., and sold the body to Hyde.

deal with a patient people in this way. But I venture to prophecy not much longer.

"I hope therefore the governors and legislatures of this country will be brave enough to do their duty in this matter. It is time the people in this broad land bestir themselves upon this vital question before it is too late to do so. It would be nothing less than a catastrophe if this amendment should be defeated. If we are going also to be cut off from an appeal to the court. This is in every sense the people's fight."

At the conclusion of Borah's speech, Senator Brown requested a resolution to lie on the table that he might have an opportunity to speak on it. He said he hoped the amendment would be favorably acted on by the states regardless of its effect on the salaries of the state officers and state authorities.

FREDERICK A. COOK AGAIN DISCOVERED

By Associated Press
NEW YORK, Feb. 10.—Dr. Frederick A. Cook has been discovered in Bermuda, according to a

WITNESS IN CONBOY TRIAL IS A PERJURER

By Associated Press
SAN FRANCISCO, Feb. 10.—R. H. Blumberg, a clerk in a cigar store, was arrested tonight and charged with perjury, sworn to by Miss Margaret Lagan, a sister of Bernard Lagan, who was killed last June by former Captain of Police Conboy. Blumberg testified he saw Lagan start to take off his coat and advance toward Conboy, after which the latter fired one shot. According to District Attorney Fickert, Blumberg admitted to him he did not see what he had sworn to but later retracted this admission.

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VICTORIES OF REVOLUTIONISTS ARE INCREASING

By Associated Press
MANAGUA, Feb. 10.—The revolutionists under Generals Chamorro and Masís, captured Matagalpa this morning. On receipt of the news the authorities here declared the city to be undefended, the troops having left. The steamer Managua was captured at her wharf today by a group of thirty young men of the conservative party, the capture being effected, after an exchange of about fifty shots. The conspirators, some of whom were disguised in women's garments, boarded the steamer and it reported that three were killed. The crew was overpowered in less than five minutes, but the whistle spread the alarm. Fifty cavalymen came to the vessel's assistance and arrived only to see the Managua disappearing.

SENATOR BORAH DENOUNCES INCOME TAX AMENDMENT

Speaker Purports to Give Views of the American Public on Measure Which Should be Sidetracked.

By Associated Press
WASHINGTON, Feb. 10.—Senator William F. Borah, of Idaho, took occasion in the senate today to attack the position of those who oppose acceptance by the several states of the proposed amendment to the constitution of the United States which would permit the levying of a tax on incomes without apportionment between the states. Incidentally the senator paid his respects to Governor Hughes of New York, including him by inference among those who profess to be in favor of an income tax but oppose practical measures which would permit its enforcement. His allusion was of course to Governor Hughes annual message to the New York state legislature urging the defeat of the proposed amendment on the ground that its language might be so construed as to authorize congress to tax incomes from state and municipal bonds.

Senator Borah pictured the mind of the public as in a state of suspicion and discontent toward the government, and declared that the people could not much longer be withheld from radical action if taxation were continued in protection of wealth and in exemption of "incomes which sustain luxury and breed idleness and idleness." The senator said in substance:

"The history of the income tax since 1894 has not been one which any citizen can recite with pride. For a hundred years a rule of construction as established by the men who helped to write the constitution had received the approval of an undivided court time and time again. During this period there sat upon the bench of the supreme court some of the greatest lawyers of that or any other period of this or any other country. During this period the wealth of this country had not become so domineering, so powerful, so determined to have its own way, during this period, therefore, we had under the constitution the right to impose a part of the tax upon wealth and a part upon consumption and we did so.

"In 1894 and 1895 these precedents were overturned, this constitution received an interpretation unknown to its makers. In the face

of two most powerful dissenting opinions to which two other judges assented, the humiliating and astounding doctrine was announced that the makers of the republic had hedged wealth about so that the taxing powers of the government could not reach it even in time of war; that the founders of a government based upon equality and justice had made it impossible to divide the burdens of government between consumption and a large class of gathered wealth. Last session of this body we were called upon to ratify and declare by express act our assent to that interpretation. Under the rule of the majority we did so. We submitted this proposed amendment to remedy this supposed hideous defect in the fundamental law.

Now the scheme and plan is to defeat the amendment. Having as a law making body solemnly accepted this construction of the constitution, thereby making it impracticable again to appeal to the court, if this amendment can be defeated, this, the government for and by the people, will stand alone among all the civilized nations of the earth shorn of the power to tax that form of wealth best able to bear the burdens of government.

"That is the scheme and plan, and such men as the great governor of New York is giving them great aid and comfort. Men say with great fervor of patriotism, 'I am in favor of this power being given to the government to be used at least in time of war,' and straightway proceed to help defeat the amendment. If those who are the real enemies of this measure would come into the open its friends could deal with them far more successfully.

"Mr. President, no one ever saw this country in just the condition it is today. Never since this government was launched has there been such a restless spirit among the great mass of the people, such a questioning, such persistent inquiry. No part of the government seems to escape challenge or criticism, and it is fast becoming popular to scoff at the constitution itself. An unquiet, dissatisfied, sus-

The arrest followed quickly after Judge Ralph Latham had called the grand jury today to investigate the death of Swope. Conkling made the request for the jury. By dismissing his libel suit for \$600,000 against Attorney John Paxton, Drs. Frank Hall and Edward Stewart today, Hyde removed himself from the range of the attorneys who have been using every legal means to get his deposition in the case. One suit for \$100,000 is still pending against Paxton. This suit alleges slander.

The death of Colonel Swope on October 3rd last was attended by circumstances that mystified the millionaire's family and friends. Hyde had treated the colonel in the last hours, and had in signing the death certificate, given apoplexy as the cause of the death. In December an epidemic of typhoid fever raged in the Swope household and eight persons were stricken, and one, Chrisman Swope, died under conditions that caused apprehension among the attending nurses. John

prudent public mind is the public mind of today.

"You can defeat this amendment. In view of the class of men who are joining the crusade against it I think you will defeat it. The forces which propose to encompass its defeat will not stop on the hither of the most despicable methods to accomplish their purpose. But when the people learn what you have really done, the manner in which this has been manipulated, it will go far toward exciting to renewed force that feeling of wrath, of class hatred already too strong among us. It will do much to foster respect for and breed disloyalty to the government. When those who are ill able to meet the burdens of government see its enormous expenditures continue to increase, larger armies and larger navies, increased burdens everywhere, and learn furthermore, that all this must be met by a tax on consumption while incomes which sustain luxury and breed idleness and idleness go untaxed they will have little mercy with you in the hour when you must plead with them against radical changes in the government. I do not know how long we can

ASKS COURT TO REVERSE RULING ON TEN HOUR LAW

United States Minister to China Takes Up Fight for the Working Women of Illinois.

By Associated Press
SPRINGFIELD, Ill., Feb. 10.—William J. Calhoun, United States minister to China appeared before the supreme court of Illinois today in an appeal to have that body overrule the decision bearing upon the ten hour law for women. Judge Tuthill last July held the law limiting the working day to be unconstitutional on the ground that it infringes upon the rights of women to contract for the hire of their labor. Minister Calhoun was one of a large number of Chicago men and women opposing the decision, who appeared before the supreme court. "I'm not a radical or a socialist or an anarchist," he said, "and don't even belong to the so-called 'Up-lift movement' of which we have heard so much recently, but I do take a sufficient notice of some of the abuses which exist in

this highly artificially developed civilization of ours which calls aloud for correction. Many women in their struggles for food, shelter, and yes, even for life, are willing, even eager to work long hours every day, every week year in and year out, until their bodies break under the strain, but the wishes of such women should not be allowed to militate against the welfare of womankind or mankind in general."

United States Attorney Wayman of Chicago also asked the supreme court to set aside the ruling of Judge Tuthill, and declared that the legislature should have the power to protect human beings as it has the power to protect animals. Attorney Haynie, representing the Illinois Manufacturers' association, argued for the upholding of the decision of Tuthill.

story printed today in the Globe. The discovery was made by G. J. L. Doerschuck of Brooklyn, who arrived here today from Bermuda.

Mr. Doerschuck is quoted as saying he met Dr. Cook near Hamilton, Bermuda, and that he recognized him instantly, as they were both members of the Buswick club in Brooklyn. Asked by Mr. Doerschuck what he was doing Dr. Cook said:

"Just resting. I am feeling much better than I did, and I will soon return to New York and straighten out the north pole tangle. I am confident I will be able to make that matter square."

Mr. Doerschuck said Dr. Cook told him he purposed sailing for Halifax today.

CONGRESS MAKES APPRO- PRIATIONS FOR HARBORS

By Associated Press
WASHINGTON, Feb. 10.—To make Jamaica Bay the greatest harbor in the world, the rivers and harbors appropriation bill provides for \$550,000 as the initial sum authorizes the expenditure by the federal government of \$7,000,000 for this project alone on the condition that the city of New York will spend an additional \$10,000,000. The bill will be reported to the

house tomorrow. The appropriations for the Pacific coast include \$2,200,000 for the Washington lake project at Seattle; \$1,500,000 for improvements at the mouth of the Columbia river; \$150,000 for Humboldt Bay, in California; \$275,000 for San Diego and \$250,000 for the Oakland harbor.

TROPHIES OF TEDDY.

By Associated Press
WASHINGTON, Feb. 10.—Edmund Heller, one of the scientists with former president Roosevelt in Africa, has written the Smithsonian Institute that the expedition had shipped forty-eight barrels of skin in brine, forty-eight cases of skulls of mammals and several cases of birds, small mammals and alcoholic specimens. The skins of three elephants are included.

FRANKIE CONLEY AND MONTE ATTELL SIGN

By Associated Press
PORTLAND, Feb. 10.—Monte Attehl of San Francisco and Frankie Conley of Kenosha, Wis., were matched today to fight forty-five rounds at Los Angeles on February 22 at 116 pounds ringside. The boys were to have fought a ten round bout here this month.

The place to meet and take your friends is to the Butler theater.